

Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JESUS DANIEL LERMA-JARAS, and
LIONEL GONZALEZ-TORRES,
Defendants.

Case No. 20-cr-146-JCC

UNOPPOSED MOTION TO
CONTINUE TRIAL DATE AND
DEADLINE FOR FILING PRETRIAL
MOTIONS

Noting Date: October 16, 2020

Defendant Gonzalez-Torres, by and through his attorney of record, submits this Unopposed Motion to Continue Trial Date from the current date of November 9, 2020 to July 12, 2021. This continuance is necessary for new defense counsel to be prepared to effectively represent the Defendant at trial.

The government has reviewed this motion and proposed order and has no objection to the proposed continuance.

1 This is the first motion to continue the trial date in this case. Waivers of speedy
2 trial by both defendant s shall be filed separately.

3 BASIS FOR MOTION

4 The 12-Count Indictment (Dkt. No. 21) charges Defendants Lerma-Jaras and
5 Gonzalez-Torres with Conspiracy to Distribute Heroin and Methamphetamine
6 (Count One) as well as additional counts of Distribution of Heroin and/or
7 Methamphetamine, and Possession with intent to distribute Heroin and/or
8 Methamphetamine. Count One alleges quantities of heroin and methamphetamine
9 which invoke the “ten-year mandatory minimum” (21 U.S.C. §841(b)(1)(A); and
10 most of the other substantive offenses allege five-year or ten-year mandatory
11 minimums. Additionally, Defendant Lerma-Jaras is charged in Count 6 with
12 Possession of a Stolen Firearm. The charging period for the conspiracy dates back to
13 “a date unknown, but within the last five years” until February 13, 2020; and the
14 offense date alleged in Count 12 against Defendant Gonzalez-Torres is September
15 20, 2020.

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20 Discovery in this case is voluminous, and it will include extensive electronic
21 information. The Seattle Police Department investigation of the defendants and
22 related individuals dates back to late 2018. The investigation involves extensive
23 surveillance and use of confidential sources. Additionally, the government’s
24 “Memorandum in Support of Detention” (Dkt. No. 15), alleges that the charges
25

1 against the defendants “stem from a single investigation” that has yielded two other
2 indictments – see, case nos. 20-cr-136-JCC, and 20-cr-137-JCC. Extensive Title III
3 wire intercepts, search warrants for 20 locations and 21 vehicles were involved in
4 these related matters which may be deemed relevant to this case.
5

6 Review and analysis of this discovery will take at least several months.
7 Additionally, because of the ongoing pandemic, defense counsel cannot meet in
8 person with his client, which will dramatically slow the process of discovery analysis
9 and trial preparation.
10

11 After careful consideration of the time necessary to be prepared to effectively
12 represent the defendants in this case, defense counsel has determined that a date of
13 July 12, 2020 will allow the parties to be prepared to effectively and efficiently try
14 this matter.
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16 AUTHORITY

17 Pursuant to 18 U.S.C. §§ 3161(h)(7)(B)(iv), this Court has discretion to order
18 the continuance of the existing trial date, and to exclude the delay from the speedy trial
19 calculation to provide defense counsel with reasonable time necessary for effective
20 preparation for trial and pre-trial motions.
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22 Defendants Lerma-Jaras and Gonzalez-Torres both agree that this continuance
23 is necessary and will separately submit their waivers of speedy trial through August
24 12, 2021.
25

1 RESPECTFULLY SUBMITTED this 6th day of October, 2020,

2 s/ Scott J. Engelhard

3 Scott J. Engelhard

4 WSBA #13963

5 Attorney for Defendant

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8 CERTIFICATION OF SERVICE

9 I hereby certify that on the date provided below, I filed the foregoing with the Clerk of the Court and the Plaintiff
10 using the CM/ECF system.

11 Respectfully submitted this 6th day of October, 2020,

12 s/ Scott J. Engelhard

13 Scott J. Engelhard, WSBA #13963

14 Attorney for Defendant